

FILED
U.S. DISTRICT COURT
SOUTHERN DIV.

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

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SO. DIST. CT. GA.

WILLIAM IRA NESMITH,

Plaintiff,

v.

CIVIL ACTION NO.: CV507-043

CORRECTIONS CORPORATION OF
AMERICA; COFFEE CORRECTIONAL
FACILITY; Senior CO Sgt. J. A. JOHNSON,
Warden TODD THOMAS, and JAMES
DONALD, Commissioner, Georgia
Department of Corrections,

Defendants.

ORDER

After an independent review, the undersigned concurs with the Report and Recommendation of the Magistrate Judge, to which Objections have been filed. In his Objections, Plaintiff asserts Corrections Corporation of America monitors its prison facilities and has no choice "but to know and therefore condone the amount of use of force at Coffee Correctional Facility." (Doc. No. 16, p. 1). Plaintiff also asserts James Donald, as the Commissioner of the Georgia Department of Corrections, "*should* be aware of the number of use of force actions." (*Id.*, p. 2)(emphasis added).

For the same reasons detailed in the Magistrate Judge's Report and Recommendation, Plaintiff's Objections are without merit. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Plaintiff's claims against Corrections Corporation of America, Coffee Correctional Facility, and Commissioner James Donald are **DISMISSED**.

SO ORDERED, this 23rd day of August, 2007.



WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA